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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,250	06/13/2001	Tetsuro Motoyama	49986-0506	6669
29989	7590	12/19/2005	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110			JEANTY, ROMAIN	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/881,250	MOTOYAMA, TETSURO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Romain Jeanty	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 September 2005.  
 2a) This action is FINAL. 2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 6-11,15-17 and 20-22 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-5,12-14,18 and 19 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### **Election/Restrictions**

1. Claims 6-11, 15-17, and 20-22 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected of group II, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on September 6, 2005. Claims 1-5, 12-14, 18 and 19 are pending in the application. For further examination.

### **Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-5, 12, 14, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nummelin et al (U.S. Patent No. 6,308,164) in view of Reeves (U.S. Patent No. 5,709,410).

As per claims 1, 3-5, 14, 19 Nummelin et al discloses a distributed management system for receiving project information. In so doing, Nummelin et al discloses automatically updating a task schedule associated with the particular individual assigned to perform the project task updating the and wherein the project task is not completed until results indicate that the project task is completed, and automatically updating a management schedule by providing a summary of aggregated tasks associated with the project, based on one or more updated task schedules (col. 6, lines 18-36). Fredell fails to expressly disclose receiving over a network from two or

more authorized task inspectors (i.e., collecting the project information; col. 6, lines 6-17). Nummelin does not expressly disclose wherein the authorized task inspectors were selected to perform an inspection of a project task assigned to a particular individual. Reeves in the same field of endeavor discloses the concept of receiving task approvals from inspectors (i.e. since the task approval is received from the inspector, it implies that inspector was selected) col. 1, lines 11-25). Therefore, it would have been obvious to a person of ordinary skill in the art to modify the disclosures of Fredell et al to incorporate the disclosures of Reeves, Jr. in order to insure that project task is properly complete.

As per claim 12, claim 12 is a computer-readable medium carrying one or more sequences of instructions for generating a schedule for a project, wherein execution of the one or more sequences of instructions by one or more processors causes the one or more processors to perform the steps of method claim 1; therefore claim 12 is rejected similarly for the same reason claim 1 is rejected.

As per claim 18, claim 18 is a network interface system to perform the steps of method claim 1; therefore claim 18 is rejected similarly for the same reason claim 1 is rejected. In addition, Nummelin discloses a network interface and one or more processors connected to the network. Note Figure 1 of Nummelin.

4. Claims 2 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nummelin et al (U.S. Patent No. 6,308,164) in view of Reeves (U.S. Patent No. 5,709,410) and further in view of Swenson (U.S. Patent No. 5,490,097).

As per claim 2, the combination of Nummelin et al and Reeves Jr. does not expressly disclose wherein an attribute of the task schedule is defined by a policy specifying that a project

task cannot be partially completed and the step of automatically updating the task schedule is performed according to the policy (col. 3, lines 19-28). However Swenson in the same field of endeavor discloses the concept of executing a project task using pre-programmed policies. It would have been obvious to a person of ordinary skill in the art to modify the disclosures of Nummeling et al and Reeves to incorporate the disclosures of Swenson et al in order to insure the completion schedule for the entire development project.

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Knudson et al (U.S. Patent No. 5,765,140) discloses a project management system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30AM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Romain Jeanty  
Primary Examiner  
Art Unit 3623

11-28-05